

REMARKS

Applicant knows with appreciation the allowance of claims 1-19 and 24-26 in the above high can identify patent application. These claims have been reviewed and minor amendments correcting typographical or as have been made. From any claims 20-23 were rejected as on patentable over the reference to Takaoka.

While the rejection based on Takaoka is contested in view of the substantial differences in the operation of the inventive system, as claimed and the system disclosed by Takaoka, the claims have been amended in the interest of expediting prosecution.

More particularly, as amended, claim 20 clearly recites first and second detectors. Moreover, the first and second detectors are recited as coupled to the heterodyne frequencies. This is in contrast to Takaoka where the heterodyne frequencies are only used to modulate light beams, and not as a third input to a detector. Generally, it is noted that in accordance with claim 20, the detectors receive two inputs, namely the heterodyne signal and pay modulated light signal. This is in contrast to Takaoka where the dichroic sends fluorescent energy to a detector which is not driven by an electrical heterodyne frequency. Accordingly, it is believed that claim 20 is now clearly in condition for allowance.

Defendant claims 21, 22 and 23 further limit claimed 20 and, accordingly, are also believed to be in condition for allowance.

In view of the above amendments and arguments relating thereto, it is

believed at the present application is in condition for allowance. Such action is most earnestly solicited. If, for any reason, there are any issues which need to be resolved, the examiners invited wholly of the signed at the telephone number below.

Applicant hereby petitions under 37 CFR 1.136 or other applicable rule to have the response period extended the number of months necessary and/or Commissioner's action necessary to render the attached communication timely if a petition is required.

Respectfully submitted,

By: 

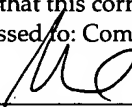
Anthony H. Handal

Reg. No. 26,275

Phone: (212) 209.4942

Brown Rudnick LLP
Seven Times Square
New York, NY 100 36
(212) 209-4942

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trade marks, P.O. Box 1450, Alexandria, VA 22313-1450 on June 26, 2006.


Anthony H. Handal Reg. No. 26,275